

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

ALOFT MEDIA, LLC, §
§
Plaintiff, § Civil Action No. 6:09-CV-304-LED
v. §
§
§ JURY TRIAL DEMANDED
ORACLE CORPORATION, *et al.*, §
§
Defendants. §

**PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE OF
DEFENDANT FIDELITY INVESTMENTS, LLC UNDER FED. R. CIV. P. 41(a)(1)**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiff Aloft Media, LLC (“Aloft”) files this notice of voluntary dismissal, with prejudice, of its cause of action against Fidelity Investments, LLC (“Fidelity Investments”). To date, Fidelity Investments has neither answered any Complaint nor filed a motion for summary judgment.

Plaintiff and Fidelity Investments will each bear its own costs, expenses and legal fees.

This dismissal does not affect any other named defendant.

Respectfully Submitted,



Eric M. Albritton
Texas State Bar No. 00790215
ema@emafirm.com
Adam A. Biggs
Texas State Bar No. 24051753
aab@emafirm.com
Debra R. Coleman
Texas State Bar No. 24059595
drc@emafirm.com

Matthew C. Harris
Texas State Bar no. 24059904
mch@emafirm.com
ALBRITTON LAW FIRM
P.O. Box 2649
Longview, Texas 75606
Telephone: (903) 757-8449
Facsimile: (903) 758-7397

Counsel for Aloft Media, LLC

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this notice was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email and/or fax, on this the 4th day of November 2010.



Eric M. Albritton